

United States District Court
for the
District of New Jersey

United States of America)

v.)

DAVID EVANS)

Defendant)

Case 2:11cr 286 - 1

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed.

The defendant shall appear before Judge Dennis M. Cavanaugh at Martin Luther King Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, N.J. 07102 on 22 August 2011 10:00am.

Release on Bond

IT IS FURTHER ORDERED THAT:

- (5) The defendant shall be released upon executing a \$100,000.00 Unsecured Appearance Bond, binding the defendant to pay that amount to the United States in the event the defendant fails to appear or fails to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

(6) Upon finding that release by the above methods will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, it is further ordered that the release of the defendant is subject to the condition(s) listed below:

- (a) The defendant shall be released into the third party custody of Claire Evans who agree(s) to (a) supervise the defendant in accordance with all the conditions of release, (b) use every effort to assure the appearance of the defendant at all scheduled court proceedings, and © notify the court immediately in the event the defendant violates any conditions of release or absconds.

Signed: Claire Evans
Custodian/Date of signature

- (b) Report to Pretrial Services as directed and advise them immediately of any contact with law enforcement personnel, including but not limited to, any arrest, questioning, or traffic stop.
- (c) Participate in the following home confinement program and abide by all the requirements of the program which will include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.
Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer.
- (d) Surrender all passports and travel documents to Pretrial Services. Do not apply for new travel documents.
- (e) Travel restricted to New Jersey, New York & New Jersey, unless approved by Pretrial Services.
- (f) Substance abuse testing and/or treatment as directed by Pretrial Services. Refrain from obstructing or tampering with substance abuse testing procedures/equipment.
- (g) Mental health testing and/or treatment as directed by Pretrial Services.
- (h) Maintain current residence 1448 Bryant Ave., Apt. 2., Bronx, NY 10459 or a residence approved by Pretrial Services.
- (i) Avoid all contact, direct or indirect, with anyone who is or may become a victim or potential witness in the subject investigation or prosecution.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

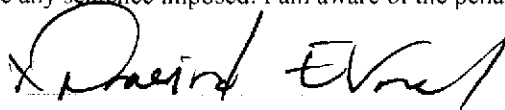
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

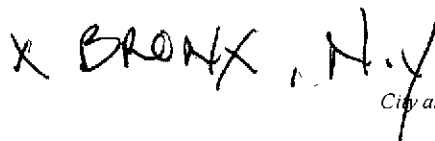
A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

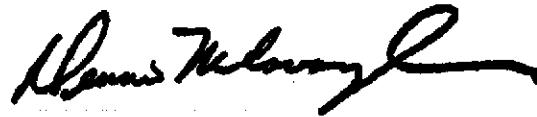


City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
 () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 27 APRIL 2011



Judicial Officer's Signature

Dennis M. Cavanaugh, United States District Judge

Printed name and title